



PROBATION AND PAROLE BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: P&P 150-6	Subject: CONDITIONAL RELEASE OF DOC OFFENDERS	
Reference: DOC 1.5.11; DOC 4.6.3; 2-15-112, MCA; 45-7-306, MCA; 46-18-201, MCA; 46-23-1004, MCA; 46-23-1023, MCA; 46-23-1031(1)(a), MCA; 46-23-1115, MCA; 46-24-203, MCA; 53-1-201, MCA; 53-1-203, MCA; 53-30-111, MCA; 53-30-302, MCA; 53-30-326, MCA	Page 1 of 14	
Effective Date: 06/17/02	Revision Dates: 12/26/02; 03/14/03; 07/21/03; 03/06/04; 03/01/05; 08/01/05; 10/27/06; 02/02/07; 06/14/10; 01/14/14	
Signature / Title: /s/ Ron Alsbury, Probation & Parole Bureau Chief		

I. BUREAU DIRECTIVE:

Probation & Parole Bureau employees will follow established procedures for the appropriate release and/or supervision of offenders placed on conditional release to or from Adult Community Corrections Division programs/facilities.

II. DEFINITIONS:

ACCD-Adult Community Corrections Division Program/Facility – The Division includes the Adult Interstate Bureau; the Probation and Parole Bureau which provides the Day Reporting Programs (DRP), Intensive Supervision Programs (ISP), and Enhanced Supervision Program (ESP); the Missoula Assessment and Sanction Center (MASC); and the Facilities Program Bureau which includes Treasure State Correctional Training Center (TSCTC), and the contracted facilities of Prerelease Centers (PRC), Sanction Treatment Assessment Revocation & Transition (START), Warm Springs Addiction Treatment and Change Program (WATCH), Connections Corrections Program (CCP), Passages Alcohol and Drug Treatment (Passages ADT), Passages Assessment Sanction & Revocation Center (Passages ASRC), NEXUS Correctional Treatment Center (NEXUS), and Elkhorn Treatment Center (Elkhorn).

Bureau Chief – For purposes of this procedure, refers to the administrator of the Adult Interstate Bureau, the Facilities Program Bureau or the Probation & Parole Bureau.

Conditional Release Offender – A status that applies to offenders committed to the Department, placed in an ACCD program/facility, and may be released to community supervision by the Probation & Parole Bureau prior to the expiration of his/her sentence.

Criminally Convicted Youth – Any youth convicted in (adult) District Court pursuant to §41-5-206 and §41-5-1601, MCA.

Dead Time – A period of time starting the date an administrative warrant is issued by the Deputy Compact Administrator, to the date the offender is detained on the warrant. The ACCD Administrator will be the final authority regarding issuance of dead time.

Department or DOC – The Montana Department of Corrections.

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DOC Commitment – A commitment by the District Court of an adult offender or a criminally convicted youth for placement in a state correctional facility or program operated by the Department or under the authority of the Department pursuant to §46-18-201, MCA.

OMIS-Offender Management Information System – The Department’s electronic data collection and reporting system.

P&P-Probation & Parole Bureau – The ACCD bureau providing adult probation and parole services.

Prison – Montana State Prison (MSP), Montana Women’s Prison (MWP), Great Falls Regional Prison, Dawson County Correctional Facility, and Crossroads Correctional Center.

Receiving State – The state that Montana is requesting to assume supervision of an offender.

Registration Agency – The police department of the city or town in which an offender resides; or the sheriff’s office of the county in which an offender resides, if the residence is in a place other than a city or town.

RIL-Probation & Parole Regional Intelligence Liaison – An individual appointed by the Regional Administrator to track street gang activity within a specific region/city and is the liaison to the Montana All Threat Intelligence Center (MATIC).

Sending State – The state requesting the transfer of offender supervision.

III. PROCEDURES:

A. General Requirements

1. DOC commitments who are determined inappropriate for community placement or who have been placed in an ACCD program but do not complete the program may be sent to prison. Those offenders sent to prison will not be eligible for conditional release, but must parole.
2. An offender who violates and is placed in prison from an ACCD program/facility will not be eligible for a conditional release.
3. Offenders who have formally violated their conditional release and been placed in prison will not be considered again for conditional release.
4. Conditional Release Offender with New Felony Conviction: If a conditional release offender receives a new felony conviction, it is possible in extreme cases to have a placement in an ACCD program/facility instead of an automatic override to MSP or MWP. The supervising P&P Officer (Officer) will staff the case with the Regional Administrator (RA) to determine if an override from the ACCD Administrator is appropriate (see *ACCD 4.6.200 Administrative Transfers/Overrides*).

B. Conditional Release From MASC, START and Passages ASRC

1. Eligible Offenders:
 - a. DOC commitments placed in an ACCD program/facility and being released to P&P Bureau supervision.
 - b. Offenders who have at least 60 days of conduct without a severe disciplinary infraction and at least 30 days of conduct without a major disciplinary infraction.

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- c. Offenders who enter MASC/START/Passages ASRC and are transferred to an ACCD program/facility will not be eligible for parole and can only be conditionally released.
 - d. Offenders who have had a previous stay at MASC will not be eligible for return placement to the program and will be sent directly to MSP/MWP unless staffed and approved with the MASC program administrator.
2. The MASC/START/Passages ASRC IPPO will recommend to the ACCD Administrator the names of offenders who have met treatment requirements and are eligible for conditional release.

3. PROCEDURE:

RESPONSIBILITY:

Use OMIS Quick Reference Guides for information on entries to be made in OMIS and found at <http://cor.mine.mt.gov/Training/ComputerUserGuides/default.mcp>x. Some P&P forms are generated by OMIS.

- a. An NCIC/CJIN check should be completed on eligible offenders to confirm there are no outstanding warrants. IPPO
- b. Request *ACCD 4.1.100(F) Progress/Summary Report* from the program/facility for each offender with Sections I, II, V and VI completed. IPPO
- c. Complete *P&P 150-6(C) DOC Transfer Form* for each offender. Pertinent information, such as offender's length of time in the program, any treatment completions, any noted concerns or problems, etc., should be indicated in the comments section on the *Transfer Form* to assist in review of the case. IPPO
- d. Submit the *Transfer Form* and *Progress/Summary Report* electronically for approval to corcondrel@mt.gov. The email subject line must read as follows: **Offender last name, first name, DOC ID#, facility, CR (example: Doe, Joe, #1234567, START, CR)**. IPPO
- e. After review and recommendation, the Bureau Chief will forward the *DOC Transfer Form* and *Progress/Summary Report* to the ACCD Administrator for final approval/denial and signature. Bureau Chief
ACCD Administrator
- f. All registered offenses (§46-23-502, MCA) and/or high-profile cases will have final approval by the Department Director or designee. DOC Director
- g. Upon receipt of approved and signed *P&P 150-6(C) DOC Transfer Forms*, forward the *Forms, Reports*, and offenders' field files to the supervising Officers for investigation of placement. Each Officer will have **five (5) working days** to investigate the proposed plan and notify the IPPO of the results. Any concerns regarding the residence will be immediately communicated to the IPPO. Officer may request additional special conditions on an IPPO
P&P Officer

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offender prior to reentry into the community by notifying the IPPO, who will address such concerns with the ACCD Administrator or designee. Employment will not be a consideration for rejection of a conditional release.

- h. Coordinate the date of release between the Officer and the releasing facility. [The date of release of a sexual/violent offender must be ten (10) days from the date that *P&P 60-12(A) Duty to Register Letter* and *SVOR Registration Form* are completed.] IPPO
- i. Verify whether DNA testing has been completed. If not, coordinate testing prior to the offender's release (see *P&P 60-13 DNA Testing/Collection of Biological Sample*). IPPO
- j. Notifications:
 - i. MSP/MWP Records Department will process victim notifications, Released Arsonist Reporting, and other notifications required by statute. Records Dept.
 - ii. The **IPPO** completes the following: IPPO
 - 1) Notify the Classification & Placement Officer at MSP/MWP, who is responsible for entering release information into OMIS through the *Admissions/Discharge Report*.
 - 2) Notify the offender.
 - 3) Complete and send *P&P 150-6(D) Notice of Conditional Release* or other document or memo used within the various facilities to supervisors and all applicable entities, notifying them of the offender's release date.
 - 4) Completes *ACCD 3.1.2400(A) STG/Street Gang Activity Questionnaire* if not done previously. Forwards to RIL placing copy in offender's field file and making OMIS STG chronological entry noting completion of form.
 - 5) Offender must read and sign *P&P 150-6(A&B) Conditions of Conditional Release* (each condition initialed), *P&P 150-6(E) Terms and Conditions of Conditional Release Program*, and *P&P 80-1(A) Travel Permit*. Originals are to be forwarded to supervising Officer for inclusion in offender's field file.
 - 6) If applicable, offender must read and sign *Sexual/Violent Offender Registration* and *P&P 60-12(A) Duty to Register Letter*. Copies to be forwarded to supervising Officer for inclusion in field file.
 - 7) If applicable, offender must read and sign *P&P 60-1(H) Wage Garnishment Statement*. The original will be forwarded to the Department's Restitution Unit and a copy to Officer for inclusion in field file.
 - 8) Notify the RA or POII.

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4. Offender Account

The IPPO will notify the Inmate Accounts Office of the date of release. A check for the balance in the offender's account will be available for the offender upon release.

5. Personal Property

When an offender is released from custody, all state property will be collected by the program/facility. Basic dress out clothing will be provided to offenders who were committed without salvageable or suitable clothing. The facility will provide the offender with state-issued identification.

6. Medical Clearance

Medical staff will be notified to perform any necessary medical screening, any remaining medical treatment procedures, or to make necessary referrals for community medical follow-up. A temporary supply of critical prescription medication may be provided on a case-by-case basis in accordance with *DOC 4.5.22 Continuity of Offender Health Care*.

The DOC and the Department of Public Health and Human Services established the Project for Offenders with Mental Illness (*DOC 4.5.28*) and the Prescription Medication for Offenders with Mental Illness Project (*DOC 4.5.29*) to provide services for eligible offenders. The request forms for these services are listed in this procedure. Mental Health Services Request must be submitted electronically to cormhsvs@mt.gov and Mental Health Medication Request must be submitted electronically to cormed@mt.gov. The email subject line must read as follows:

Facility/P&P: MH Meds: offender last name, first name (example: P&P: MH Meds: Doe, John)

C. Conditional Release From Prerelease, TSCTC, CCP, WATCH and Passages ADT

1. Eligible Offenders

- DOC commitments placed in an ACCD program/facility and being released to P&P Bureau supervision.
- Offenders who have at least 60 days of conduct without a severe disciplinary infraction and at least 30 days of conduct without a major disciplinary infraction.
- DOC commitments admitted to an ACCD program/facility from MASC/Passages ASRC who have not been to prison on their current sentence, will not be eligible for parole, but may be conditionally released.

- The following individuals are responsible for providing the ACCD Administrator with the names of offenders who have met treatment requirements and are eligible for conditional release.

- PRCs (See *P&P 150-6(F) Prerelease Liaison Procedures and Checklist* for a quick reference of duties and responsibilities.) PRC Liaison
- TSCTC IPPO
- CCP IPPO
- WATCH IPPO
- Passages (See *P&P 150-6(F) Prerelease Liaison Procedures and Checklist* for a quick reference of duties and responsibilities.) IPPO/PRC Liaison

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3. PROCEDURE:

RESPONSIBILITY:

Use OMIS Quick Reference Guides for information on entries to be made in OMIS and found at <http://cor.mine.mt.gov/Training/ComputerUserGuides/default.mcp>. Some P&P forms are generated by OMIS.

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| a. Ensures that a NCIC/CJIN check for detainers or warrants on eligible offenders has been completed by institution or other means. (The local P&P Office may run the check if it has capability to do so). | IPPO/PRC Liaison |
| b. Request <i>ACCD 4.1.100(F) Progress/Summary Report</i> from the program or facility for each offender with Sections I, III or IV, V and VI completed. | IPPO/PRC Liaison |
| c. Complete <i>P&P 150-6(C) DOC Transfer Form</i> for each offender. Pertinent information, such as offender's length of time in the program, any treatment completions, any noted concerns or problems, etc., should be indicated in the comments section of the <i>Form</i> to assist in the review. | IPPO/PRC Liaison |
| d. Submit the <i>Transfer Form</i> and <i>Progress/Summary Report</i> electronically for approval to corcondrel@mt.gov . The email subject line must read as follows: Offender last name, first name, DOC ID#, facility, CR (example: Doe, Joe, #1234567, START, CR) . | IPPO/PRC Liaison |
| e. After review and recommendation, the Bureau Chief will forward the <i>DOC Transfer Form</i> and <i>Progress/Summary Report</i> to the ACCD Administrator for final approval/denial and signature. | Bureau Chief
ACCD Administrator |
| f. All registered offenses (§46-23-502, MCA) and/or high-profile cases will have final approval by the Department Director or designee. | DOC Director |
| g. Upon receipt of approved and signed <i>P&P 150-6(C) DOC Transfer Forms</i> , forward the <i>Forms</i> , <i>Reports</i> , and offender field file to supervising Officers for investigation. Officers will have five (5) working days to investigate the proposed plan and notify the IPPO or Prerelease Liaison of the results. Any concerns regarding the residence will be immediately communicated to the IPPO or Prerelease Liaison. Officers may request additional special conditions on offenders prior to reentry into the community by notifying the IPPO or Prerelease Liaison, who will address concerns with the ACCD Administrator or designee. Employment will not be a consideration for rejection of a conditional release. | IPPO/PRC Liaison

P&P Officer |
| h. Verify whether DNA testing has been completed. If not completed, coordinate testing prior to the offender's release (see <i>P&P 60-13(C) Documentation of DNA Sample Collection</i>). | IPPO/PRC Liaison |

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i. Notifications:

- i. For offenders in Prerelease the **PRC Liaison** completes the following:
 - 1) Complete the *Admission/Discharge Report* and distribute to the Records and Count Office at MSP/MWP. PRC Liaison
 - 2) The Records Department will process victim notifications, Released Arsonist Reporting, and other notifications required by statute. At least three (3) days' notice should be given to Records Department. Records Dept.
 - 3) Notify the offender. PRC Liaison
 - 4) Coordinate the date of the release between the assigned Officer and the releasing prerelease center or ISP Officer. [The date of release of a sexual/violent offender must be ten (10) days from the date that *P&P 60-12(A) Duty to Register Letter* and *SVOR Registration Form* are completed.] PRC Liaison
 - 5) Once a date has been established, notify MSP/MWP IPPO by e-mail of the conditional release identifying the following: PRC Liaison
 - Which PRC the offender is leaving from;
 - Offender's name (Last name, First name, "CR");
 - Address offender is being conditionally released to;
 - Date scheduled for the conditional release;
 - P&P Office and Officer the offender is reporting to; and
 - A copy of the signed conditions of supervision should be faxed to the MSP/MWP IPPO to validate the release date.
 - 6) Completes *ACCD 3.1.2400(A) STG/Street Gang Activity Questionnaire* if not done previously. Forwards to RIL placing copy in offender's field file and making OMIS STG chronological entry noting completion of form. PRC Liaison
 - 7) Offender must read and sign *P&P 156-6 (A&B) Conditions of Conditional Release* (each condition initialed), *P&P 150-6(E) Terms & Conditions of Conditional Release Program*, and *P&P 80-1 (A) Travel Permit*. (Signed copy to be faxed to the MSP/MWP IPPO to validate the release date.) Originals to be forwarded to supervising Officer for inclusion in offender's field file. PRC Liaison
 - 8) If applicable, offender must read and sign *Sexual/Violent Offender Registration* and *P&P 60-12(A) Duty to Register Letter* (must be done and sent out ten (10) days prior to the conditional release). Copies to be forwarded to supervising Officer for inclusion in field file. PRC Liaison
 - 9) If applicable, offender must read and sign *P&P 60-1(H) Wage Garnishment Statement*. Original to be forwarded to Restitution Unit and a copy to supervising Officer for inclusion in field file. PRC Liaison

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- ii. For offenders in TSCTC, CCP, WATCH, or Passages, the **IPPO** completes the following:
 - 1) Complete the *Admission/Discharge Report* and distribute to the Records and Count Office at MSP/MWP. IPPO
 - 2) The Records Department will process victim notifications, Released Arsonist Reporting, and other notifications required by statute. At least three (3) days' notice should be given to Records Department. Records Dept.
 - 3) Notify the offender. IPPO
 - 4) Coordinate the date of the release with the assigned Officer. [The date of release of a sexual/violent offender must be ten (10) days from the date *P&P 60-12(A) Duty to Register Letter* and *SVOR Registration Form* are completed.) IPPO
 - 5) Send form *P&P 150-6(D) Notice of Conditional Release* or other document or memo used within the various facilities to supervisors and to all applicable entities, notifying them of the release date. IPPO
 - 6) Completes *ACCD 3.1.2400(A) STG/Street Gang Activity Questionnaire* if not done previously. Forwards to RIL placing copy in offender's field file and making OMIS STG chronological entry noting completion of form. IPPO
 - 7) Offender must read and sign *P&P 156-6 (A&B) Conditions of Conditional Release* (each condition initialed), *P&P 150-6(E) Terms & Conditions of Conditional Release Program*, and *P&P 80-1 (A) Travel Permit*. (Signed copy to be faxed to the MSP/MWP IPPO to validate the release date.) Originals to be forwarded to supervising Officer for inclusion in offender's field file. IPPO
 - 8) If applicable, offender must read and sign *Sexual/Violent Offender Registration* and *P&P 60-12(A) Duty to Register Letter* (must be done and sent out ten (10) days prior to the conditional release). Copies to be forwarded to supervising Officer for inclusion in field file. IPPO
 - 9) If applicable, offender must read and sign *P&P 60-1(H) Wage Garnishment Statement*. Original to be forwarded to Restitution Unit and a copy to supervising Officer for inclusion in field file. IPPO

4. Offender Account

For offenders in an ACCD program/facility, the IPPO or Prerelease Liaison will notify the Inmate Accounts Office of the date of release. A check for the balance in the offender's account will be available for the offender upon release.

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D. DOC Commitments Screened and Accepted by ISP Team Prior to Sentencing/Revocation

PROCEDURE:

RESPONSIBILITY:

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| 1. Complete NCIC/CJIN check for detainers or warrants on offender. | ISP Team |
| 2. Complete Sections I, V and VI of <i>ACCD 4.1.100(E) Progress/Summary Report</i> and submit with PSI/ROV to the RA/POII supervising the ISP Team. | Supervising P&P Officer/PSI Writer |
| 3. Immediately after sentencing, notify the RA/POII with sentencing information, the court's recommendation, and offender information needed to complete <i>P&P 150-6(C) DOC Transfer Form</i> . | Supervising P&P Officer/PSI Writer |
| 4. Submit both <i>DOC Transfer Form</i> and <i>Progress/Summary Report</i> with PSI/ROV electronically for approval to corcondrel@mt.gov . The email subject line must read as follows: Offender last name, first name, DOC ID#, facility, CR (example: Doe, John, #1234567, START, CR) . | RA/POII |
| 5. After review and recommendation, the Bureau Chief will forward both forms to ACCD Administrator for final approval/denial and signature. | Bureau Chief
ACCD Administrator |
| 6. All registered offenses (§46-23-502, MCA) and/or high-profile cases will have final approval by the Department Director or designee. | DOC Director |
| 7. Upon receipt of approved and signed <i>DOC Transfer Form</i> , offender is placed on ISP. | RA/POII |
| 8. ISP Team will sign offender to conditional release at the earliest date possible and is responsible for the following: | |
| a. Complete the <i>Admissions/Discharge Report</i> and distribute with offender's photo and fingerprints to the Records and Count Office at MSP/MWP. | ISP Team |
| b. Records Department will process victim notifications, Released Arsonist Reporting, and other notifications required by statute. At least three (3) days' notice should be given to Records. | Records Dept.
ISP Team |
| c. Notify the offender. | ISP Team |
| d. Send form <i>P&P 150-6(D) Notice of Conditional Release</i> or other document or memo used within the various facilities to supervisors and to all applicable entities, notifying them of the release date. | ISP Team |
| e. Completes <i>ACCD 3.1.2400(A) STG/Street Gang Activity Questionnaire</i> if not done previously. Forwards to RIL placing copy in offender's field file and making OMIS STG chronological entry noting completion of form. | Supervising ISP Officer |

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| f. Offender must read and sign <i>P&P 156-6 (A&B) Conditions of Conditional Release</i> (each condition initialed), <i>P&P 150-6(E) Terms & Conditions of Conditional Release Program</i> , and <i>P&P 80-1 (A) Travel Permit</i> . (Signed copy to be faxed to the MSP/MWP IPPO to validate the release date.) Originals to be forwarded to supervising Officer for inclusion in offender's field file. | Supervising ISP Officer |
| g. If offender was convicted of a felony, or is otherwise required to provide a biological sample for DNA sampling pursuant to <i>P&P 60-13 DNA Testing/Collection of Biological Sample</i> , but has not provided the sample, offender must sign <i>P&P 60-13(B) Requirement to Provide Biological Sample Letter</i> . <i>P&P 60-13(C) Documentation of DNA Sample Collection</i> is also provided to offender to return as proof of obtaining the collection. When returned to supervising Officer, a copy is given to offender and applicable OMIS entries are made. | Supervising ISP Officer |
| h. Upon conditional release sign-up, if offender is a sexual or violent offender, notify local law enforcement and Department of Justice of offender's conditional release status. Upon ISP sign-up, offender must read and sign <i>Sexual/Violent Offender Registration</i> and <i>P&P 60-12(A) Duty to Register Letter</i> and complete registration with registration agency within three (3) days. Copies of forms are forwarded to supervising Officer for inclusion in field file. | Supervising ISP Officer |
| i. If applicable, Offender must read and sign <i>P&P 60-1(H) Wage Garnishment Statement</i> . Original to be forwarded to Restitution Unit and a copy to supervising Officer for inclusion in field file. | Offender
Supervising ISP Officer |

E. Supervision of Offenders on Conditional Release Status

1. Offenders placed on conditional release status will be supervised according to the P&P Bureau Risk Assessment Scores. Officers will follow procedures outlined in *P&P 60-1 Initial Sign Up to Probation, Parole and Conditional Release Supervision* and *P&P 60-2 Supervision Strategies and Compliance Monitoring*. Offenders placed on conditional release will be subject to payment of supervision fees. (See *P&P 60-7 Restitution, Supervision Fees, and Other Fines and Fees*.)
2. **It is mandatory that the Officer enters a current living location on the Address Screen in OMIS. This address screen must be kept current.**
3. Officers must notify the Department of Justice of any change in residence, name, student or employment status or transient by having sexual/violent offenders complete the *SVOR-Change of Information Form* and forwarding a copy to the DOJ or by e-mail at dojsvor@mt.gov. Documentation that this notification was completed should be maintained.
4. Offenders will NOT be eligible for parole and will be responsible to pay for their own medical costs.

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F. Out-Of-State Travel

Offenders on conditional release status may be allowed to travel out-of-state upon approval by the RA or designee.

G. Interstate Transfers for Conditional Release Offenders

A conditional release offender may request to relocate to another state to reside and work. Before a transfer is granted, opportunity will be given to the receiving state to investigate the home and prospective employment of offender. An offender can only leave the state if granted reporting instructions and is on community supervision.

PROCEDURE:

RESPONSIBILITY:

Use OMIS Quick Reference Guides for information on entries to be made in OMIS and found at <http://cor.mine.mt.gov/Training/ComputerUserGuides/default.mcp>. Some P&P forms are generated by OMIS.

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| 1. A residence and employment plan is submitted to the supervising Officer, IPPO, ISP Officer or Prerelease Liaison when requesting transfer to another state. | Offender |
| 2. The P&P or ISP Officer/IPPO/PRC Liaison completes the following: | P&P or ISP Officer/
IPPO/PRC Liaison |
| <ul style="list-style-type: none"> a. Employment and residence plan in receiving state is verified and <i>Interstate Transfer Request</i> completed in conjunction with <i>P&P 130-1(A) Interstate Transfer Request Checklist</i> to ensure all required information is included (a PO Box # is unacceptable for an address). b. Case is staffed with RA or POII for offenders in the community. The appropriate Officers in MASC/Passages ASRC, Prerelease, ISP, TSCTC, or WATCH will follow procedures to obtain conditional release approval from the ACCD Administrator. c. Conditional release offenders will not be allowed to transfer to another state until the receiving state has investigated and approved the placement, unless reporting instructions have been granted. d. An <i>Offender's Application for Interstate Compact Transfer</i> will be completed and signed by the offender for the interstate packet. A copy will be placed in the offender's field file. e. The Interstate Compact fee of \$50.00 is collected from the offender and attached to the <i>Offender's Application for Interstate Compact Transfer</i>. The offender will receive a receipt for the amount paid. | |

For those offenders determined to be unable to pay, *P&P 130-1(B) Interstate Application Fee Waiver Request* may be filled out and

RA or POII/IPPO

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submitted to the RA for review and approval. RA/POII will recommend approval/denial and submit requests to the Deputy Compact Administrator. For offenders in an ACCD program/facility, the IPPO will forward all requests to the Deputy Compact Administrator for review and approval.

The original approved request will be attached to the Interstate application. A copy of this form will be placed in the offender's field file.

- f. **One Interstate application** packet with the complete transfer request must be submitted to the Montana Adult Interstate Bureau (Interstate). The packet should include:

- ♦ *Offender's Application for Interstate Compact Transfer*, original
- ♦ *Transfer Request*, original
- ♦ *P&P 130-1(A) Interstate Transfer Request Checklist*
- ♦ \$50.00 money order for application fee or *P&P 130-1(B) Interstate Application Fee Waiver Request* (if applicable), original
- ♦ Yellow copy of offender receipt for payment (if applicable)
- ♦ Judgment
- ♦ Information or Affidavit to Leave to File Information
- ♦ *P&P 30-1(B) Pre-Sentence Investigation* or similar information from other reports, such as police reports or offense details
- ♦ Psychological reports, if available
- ♦ Medical condition which requires medication, if offender has signed release
- ♦ Criminal history
- ♦ Current supervision history
- ♦ Signed *P&P 150-6(A&B) Conditions of Conditional Release*
- ♦ Photograph
- ♦ Sexual Offender Information: evaluations; progress reports or treatment notes; Level Designations
- ♦ Violent Offender Information
- ♦ Fine/Restitution Information
- ♦ Victim Information – on registered victim cases; any orders restricting contact.

- g. *Transfer Request* will be processed and forwarded to receiving state within five (5) working days. MT Interstate Bureau
- h. OMIS movement will be completed when offender is accepted by the receiving state. MT Interstate Bureau
- i. Forward field file to Interstate when offender is officially accepted by receiving state. P&P or ISP Officer/
IPPO/PRC Liaison

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- j. Once a date has been established for departure, complete *Interstate Notice of Departure* and forward to Interstate; or email Interstate with all departure information. P&P or ISP Officer/
IPPO/PRC Liaison

H. Offender Disciplinary Action/Absconding

Offenders on conditional release status who fail to report as instructed or abscond from supervision will be arrested and provided due process according to §46-23-1023, MCA. Officers will use the procedures outlined in *P&P 100-2 Warrant to Arrest Parolees, DOC Inmates, Conditional Release Offenders or Interstate Offenders*.

Any offender violating conditions of the conditional release will be subject to a disciplinary hearing. (See *P&P 140-1 Adult Offender Discipline & Disciplinary Hearings*). An offender found guilty of a disciplinary violation may be returned to a higher level of custody, including prison.

P&P 100-2(A) Warrant to Arrest Parolee/Inmate/Conditional Release/Interstate Offender will be issued when there is reasonable cause to believe a violation has occurred, or whenever an offender presents such danger to the community that he/she cannot remain within the community without seriously and/or continuously endangering personal safety and/or the property rights of others.

If it is determined that a warrant is necessary to arrest an offender out-of-state, the Officer will forward the offender's field file to the Adult Interstate Bureau's Deputy Compact Administrator, who will issue a DOC administrative warrant for the offender's arrest. The field file must include a completed *P&P 140-1(C) Statement of Charges-Notice of Disciplinary Hearing* to indicate which violations occurred, as well as dates and times of the violations. Officers must use the violation codes outlined in *P&P 140-1 Adult Offender Discipline and Disciplinary Hearings*.

Once the file is received, the Adult Interstate Bureau (Interstate) will monitor the file until the offender is apprehended. If apprehended within Montana, Interstate will forward the field file to the Hearings Officer located where the offender is incarcerated to conduct a disciplinary hearing. If the offender is apprehended out-of-state, Interstate will forward the field file to the institutional Hearings Officer, who will conduct the disciplinary hearing. The Officer may need to testify by telephone to the violations listed.

After a hearing is conducted, the Hearings Officer will make a finding regarding dead time and include the finding in *P&P 140-1(A) Summary of Disciplinary Hearing*. The ACCD Administrator will make a final determination regarding dead time after review of the *Summary* and forward the paperwork to the appropriate parties.

I. Conditional Release Discharges

The MSP/MWP Records Department will notify the P&P offices of upcoming discharges by e-mailing a copy of the Discharge List each month. All Officers are responsible for reviewing this list to determine if an offender on conditional release has an upcoming discharge date and will discharge accordingly.

If the offender is flat discharging their sentence, the Records Department will forward a *Discharge Certificate* to the Officer to provide to the offender. The Officer will notify Records of

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the offender's address. The Records Department is required by law to notify specific persons, including victims.

If the offender is discharging to a suspended sentence, the Officer will sign the offender up to probation conditions pursuant to *P&P 60-1 Initial Sign-Up to Probation, Parole and Conditional Release Supervision* and complete appropriate OMIS movements.

Use OMIS Quick Reference Guides for information on entries to be made in OMIS and found at <http://cor.mine.mt.gov/Training/ComputerUserGuides/default.mcp.x>.)

IV. CLOSING:

Questions concerning this procedure should be directed to the RA or designee.

V. FORMS

P&P 150-6 (A&B)	Conditions of Conditional Release – OMIS
P&P 150-6 (C)	DOC Transfer Form
P&P 150-6 (D)	Notice of Conditional Release to Supervision
P&P 150-6 (E)	Terms and Conditions of Conditional Release Program
P&P 150-6 (F)	Conditional Release - Prerelease Liaison Procedures and Checklist
P&P 150-6 (G)	Conditional Release - ISP Officer Procedures and Checklist
P&P 60-1 (H)	Wage Garnishment Statement
P&P 60-12 (A)	Duty to Register Letter
P&P 60-13 (B)	Requirement to Provide Biological Sample Letter – OMIS
P&P 60-13 (C)	Documentation of DNA Sample Collection
P&P 80-1 (A)	Travel Permit – OMIS
P&P 130-1 (A)	Interstate Transfer Request Checklist
P&P 130-1 (B)	Interstate Application Fee Waiver Request
P&P 140-1 (A)	Summary of Disciplinary Hearing
P&P 140-1 (C)	Statement of Charges-Notice of Disciplinary Hearing
ACCD 3.1.2400 (A)	STG/Street Gang Activity Questionnaire
ACCD 4.1.100 (F)	Progress/Summary Report
DOC 4.5.28	Services Request Form
DOC 4.5.29	Medication Request Form
ADR	Admission/Discharge Report
Interstate	Offender's Application for Interstate Compact Transfer
Interstate	Notice of Departure
Interstate	Transfer Request
SVOR	Sexual/Violent Offender Registration Form
SVOR	Change of Information Form